

Date—July 1, 2011

Manual – Adult Services Program Manual

Transmittal # 240

The following acronyms are used in this transmittal:

AFC-Adult Foster Care

APS-Adult Protective Services

AS-Adult Services

DMAS-Department of Medical Assistance Services

HB-House Bill

LDSS-Local Department of Social Services

SB-Senate Bill

SSI-Supplemental Security Income

The purpose of this transmittal is to provide revised guidance about the Adult Services Program Manual. Unless otherwise stated, the provisions included in this transmittal are effective July 1, 2011.

This transmittal and manual are available on SPARK at
<http://www.localagency.dss.state.va.us/divisions/dfs/as/manual.cgi>.

Significant changes to the manual are as follows:

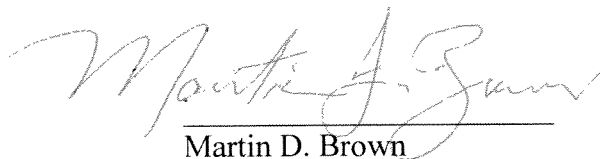
Chapter 1, “Introduction to Adult Services”	
Section	Significant Changes
Entire Chapter	Removes references to Caregiver’s Grant Program. The Caregiver’s Grant Program ended December 31, 2010.
Entire Chapter	Removes references to §§63.2-1611 and 63.2-1613 of Code of Virginia. These citations address the Domestic Violence Program. The Adult Services Program does not oversee this program.
1.10	Changes term “mandated” to “required” per 22 VAC 40-800-40. The term “mandated” was incorrect.
1.11	Adds heading “Target populations for APS.”
1.16	Adds reference to 22 VAC 40-780, Elimination of Financial Eligibility Criteria for Direct Social Services. This regulation describes eligibility criteria for services such as universal access, income maintenance and eligibility based on income.
1.18.3	Clarifies location of ASAPS Robo Help on SPARK.
1.19	Updates name of Eastern and Northern Regional Program Consultants.
1.20	Updates name of Eastern and Northern Regional Program Consultants.

Chapter 2, “Adult Protective Services”	
Section	Significant Changes
2.4	Clarifies definitions of “Abuse” and “Neglect” as used in the 18.2-369 of the Code of Virginia.
2.4	Updates definition of “Family Abuse” as a result of HB 2063 (2011).
2.5.3.7	Moves guidance on the process for imposing a civil penalty from the Appendix and incorporates it into Section 2.5.3.7
2.5.4.5	Clarifies that per Federal Regulations, DMAS or Medicaid eligibility workers are not permitted to disclose benefit application information to APS workers unless the APS investigation is related to the administration of the Medicaid Program.
2.7.1	Clarifies the characteristics of a valid report of adult abuse, neglect or exploitation.
2.7.2	Clarifies guidance on determining which LDSS has jurisdiction.
2.13.7	Refers to Appendix U for additional guidance on taking photographs during an APS investigation.
2.15.3.1	Corrects the number of dispositions from four to five to include “invalid.”
2.15.3.4	Clarifies reasons that a risk to the adult no longer exists.
2.18.4	Changes term “choices” to “options.”
2.18.5	Clarifies guidance related to the participation of the adult’s representative.
2.18.11	Clarifies that Budget Line 895 is used for purchase of services during an APS investigation.
2.20.11	Corrects the length of the extension of an emergency custody order to two hours per § 37.2-808 of the Code of Virginia.
2.20.13	Updates guidance on emergency protective orders as a result of HB 2063 (2011).
2.21.3.3	Adds guidance referring to Chapter 3, Case Management for additional information about Cost Code 21704, Guardianship Petitions.
2.27.7	Clarifies the description of cases that should be referred to the Medicaid Fraud Control Unit.
2.37.1	Clarifies guidance on releasing confidential information to agencies with a legitimate interest by adding additional citation from 22 VAC 40-740-50.
2.37.4	Adds guidance to clarify disclosure of information pursuant to the Government Data Collection and Dissemination Practices Act.
Appendix	Removes Appendix B-1 through B-4 (sample letters to

	mandated reporters). These letters are located in ASAPS and may be printed from ASAPS.
Appendix F	Adds additional information throughout Appendix F as a result of SB 750 (2011), Uniform Adult Guardianship and Protective Services Proceedings Jurisdiction Act.
Appendix L	Updates name of Eastern and Northern AS/APS Program Consultants.
Chapter 3, “Adult Services Case Management”	
Section	Significant Changes
3.5.4	Adds clarifying sentence regarding the date of a service application.
3.6.1	Corrects regulation citation in definition of incapacitated person.
3.7.1	Removes reference to pre-admission screenings to comport with language in 22 VAC40-780.
3.7.3.1	Clarifies that list of income to be counted is located in Appendix B.
3.7.3.3	Provides additional guidance on opening a case.
3.14	Adds information about using the waiting list function in ASAPS.
3.20	Provides additional guidance on transferring a case to another LDSS.
Appendix B	Updates list of income to be included. Clarifies guidance on how to evaluate income from Social Security and SSI.
Appendix C	Removes reference to Budget Line 824 as effective July 1, 2011 funding for this Budget Line has been eliminated. Corrects the non-reimbursable fund code for account number 40895 to 0033.
Chapter 4, “Long Term Care Services”	
Section	Significant Changes
Entire Chapter	Removes reference to Budget Line 824 as effective July 1, 2011 funding for this Budget Line has been eliminated.
4.4.1	Adds reference to AFC Manual on SPARK.
4.5.4	Clarifies that Department of Behavioral Health and Developmental Services facility staff and Department of Correction staff can conduct initial assisted living facility assessments only.
Chapter 5, “Adult Services Providers”	
Section	Significant Changes
5.4.2.2.3	Updates information about national criminal background check per the Virginia State Police.
5.33	Changes phrase “the appropriate VDSS data system” to “ASAPS.”
5.35	Clarifies guidance on LDSS acting as the adult’s fiscal agent.

Chapter 6, "Confidentiality"	
6.5	Corrects regulation citation from 22 VAC 40-910-100 to 22 VAC 40-910-20.

Questions about this transmittal should be directed to your AS/APS Regional Program Consultant.



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Commissioner

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